

SENATE BILL 1398

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to drug offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "One Pill Will Kill Act."

SECTION 2. Tennessee Code Annotated, Section 39-17-417(c)(1), is amended by designating the current language as subdivision (c)(1)(A) and adding the following new subdivisions:

(B) Fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) is a Class B felony if the amount involved is point five (0.5) grams or more of any substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) and, in addition, may be fined not more than one hundred thousand dollars (\$100,000);

(C) Fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) in an amount of less than point five (0.5) grams, is a Class C felony and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); provided, that if the offense involves less than point five (0.5) grams of a controlled substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48), and the defendant carried or employed a deadly weapon, as defined in § 39-11-106, during the commission of the offense or the offense resulted in death or bodily injury, then the offense is a Class B felony; and

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to offenses committed on or after that date.